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The spy at your counter

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Recommended Citation

Lawson, Elizabeth, "The spy at your counter" (1930). *PRISM: Political & Rights Issues & Social Movements*. 777.
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THE SPY

AT YOUR COUNTER



by
ELIZABETH LAWSON

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THE SPY AT YOUR COUNTER, BY ELIZABETH LAWSON
PUBLISHED BY WORKERS LIBRARY PUBLISHERS, INC.

P. O. BOX 148, STATION D, NEW YORK CITY

PRINTED IN THE U.S.A.



THE SPY AT YOUR COUNTER

By ELIZABETH LAWSON

THE manager of the store took me down to the stock-room. A detective was waiting for me. There, with only one single light in the whole basement, I was held by force for three hours. Finally, crying and trembling, I signed a statement which the detective dictated. Although I had never stolen a cent in my life, I had to 'confess' stealing \$50."

Margaret La Rue, seventeen, slim, dark-haired, and pretty, stood before the judge in the Fifth District Magistrate's Court in New York. She charged that she had been framed and physically assaulted by an agent of the Willmark Service System, a detective agency which spies upon workers in the sales and service fields.

"I worked in the W. T. Grant five-and-ten-cent store at 1352 Fifth Avenue," Margaret La Rue told the judge. "On March 30, 1937, I rang a 26-cent sale, but didn't get the penny tax, for I rang the sale before I got the money. Later, a woman bought three ten-cent handkerchiefs and gave me 31 cents. Being a penny short, I rang the sale separately as five cents, then ten cents, then ten cents again, and five cents, to make up for the penny I overrang.

"This woman was a stool-pigeon. My attorney, Louis Fleischer of the Department Store Employees' Union, found out later that she was a snooper from the Willmark Service System. She went downstairs and reported me. Then Mr. Walcott, manager of the store, took me to the stock-room, and there, in a dimly-lit basement, I found another man. He, also, was from the Willmark agency. His name was Harry Nodar.

"The detective charged me with stealing. I denied it. I explained about the penny tax. I asked him to produce the people

who accused me. He answered that he was not obliged to do so. He was an authority over me, he said, and could do as he pleased.

"I tried to go upstairs, but Mr. Walcott held me. I screamed, but it did me no good. The detective pushed me about. He said: 'There's only one way you can hold your job: write down what I tell you to and sign it.'

"For three hours I refused. By that time, however, I was frightened. I began to cry. The detective threatened to accuse me in front of the other salesgirls. He said: 'I'll make you wish you'd never been born.'

"Finally, I could stand it no longer. I weakened. I began to believe his promises that I could keep my job.

"The detective produced pen and paper, and dictated a 'confession.'

"First, he demanded that I confess to stealing a total of \$95. I wouldn't. He came down to \$85, and at last to \$50. He asked Mr. Walcott if he would be satisfied with a \$50 confession.

"After I had written the confession, the detective disappeared. The manager sent down my pay and purse. I had been fired after all!"

Margaret La Rue was denied redress in court. The "confession" which she had been forced to sign by threats and physical violence was made the excuse to dismiss the case.

* * *

In more than 1,500 towns and cities of the United States, workers like Margaret La Rue—employees of department stores, hotels, restaurants, night clubs, bus lines, steamship and railway lines, laundries, gasoline stations, toll bridges, theatres, and retail stores of every description—are being spied upon, and, on occasion, framed, assaulted, and blacklisted by hired detectives. Employers in industry call upon the William J. Burns International Detective Agency, or Pinkerton's National Detective Agency, Inc., or the Railway Audit and Inspection Company, to furnish spies and provocateurs, and to supply blacklists; the employers of service workers turn to the Willmark Service System, Inc., or the Merit Protective Service, or H. N. Findley and Associates.

Willmark—Wholesale Spying on Retail Workers

Of the score or more detective agencies operating in the service field, the largest is the Willmark Service System, Inc., whose central offices are in the Fisk Building, 250 West 57th Street, New York. Starting its business twenty years ago, this espionage system has spread into every one of the forty-eight states. It boasts that it is "available in every city, coast to coast," and it informs retail business men that "Leading Chambers of Commerce acknowledge Willmark's superior methods."

The president of the agency is Mark Bernstein; the secretary-treasurer is his brother Will. Yielding to sentiment, the brothers decided in 1916 to unite their first names to create the name of their great new enterprise.

To employers willing to pay the price — \$180 to \$40,000 yearly — Willmark offers a variety of services.

It helps firms to detect "disloyal" employees, that is, those who show, or can be provoked into showing, dissatisfaction with wages or working conditions.

It acts as auxiliary to the speed-up system, one of the sharpest complaints of personal-service workers today, by secretly timing employees with watches and stop-watches.

By bullying and insulting workers in accordance with detailed written directions, Willmark operatives assist employers to eliminate all but the most subservient.

Willmark systematically traps workers into real or apparent violations, such as the theft of a few pennies, and then harasses them into signing self-incriminating statements "admitting" thefts of large sums. This phase of the work makes it necessary for Willmark to employ the continuous services of attorneys to deal with workers who charge that they have been deliberately framed.

Further, the Willmark system acts as a nationwide and permanent blacklist against workers who have once been reported for major or minor infringements of employers' rules and customs.

Who Hires the Spies?

According to Willmark's own estimate, it spies on the workers of 11,000 business units. The following names indicate no more than a tiny fraction of the clientele of this detective agency:

Department stores: R. H. Macy & Co.; B. Altman; Oppenheim Collins; Saks Fifth Avenue; Hearn Department Stores; L. M. Blumstein; Gimbel Bros.; Alexander's; Martin (Brooklyn); Strawbridge and Clothier (Philadelphia); R. L. Bamberger & Co. (Newark); Levy Brothers (Elizabeth, N. J.); Wm. Filene's Sons Co. (Boston); Marshall Field (Chicago); Carson Pirie Scott & Co. (Chicago); Capwell, Sullivan & Furth (Oakland, Cal.); Cherry & Webb Co. (Providence, R. I.); Davison-Paxon Co. (Atlanta, Ga.); E. W. Edwards & Son (Buffalo, N. Y.); Hecht Co. (Washington, D. C.); Lansburgh & Bros. (Washington, D. C.); Joseph Horne Co. (Pittsburgh, Pa.); Kohn, Furchgott Co. (Jacksonville, Fla.); La Salle & Koch Co. (Toledo, Ohio); May Company (Los Angeles, Cal.); Thalhimer Bros., Inc. (Richmond, Va.).

Five-and-ten-cent-stores: H. L. Green and F. W. Grand; M. H. Lamston.

Mail-order houses: Sears-Roebuck; Montgomery-Ward.

Cigar stores: United Cigar Stores Corp.

Drug stores: Whelan Drug Stores; Liggett Drug Co., Inc.; Nauheim Pharmacy; Silver Rod; Katz and Bestoff, Ltd. (New Orleans, La); Katz Drug Co., Ltd. (Kansas City, Mo.); Crown Drug Co. (Kansas City, Mo.); Nevins Drug Co., (Philadelphia, Pa.); Owl Drug Co. (San Francisco, Cal.); Peoples Drug Stores, Inc. (Washington, D. C.); Read Drug and Chemical Co. (Baltimore, Md.)

Grocery stores: A. & P.; Kroger Grocery & Baking Co. (St. Louis, Pittsburgh, Milwaukee); Jas. Butler Grocery Co. (Long Island, N. Y.); Sanitary Grocery Co. (Washington, D. C.).

Hotels: Waldorf-Astoria; Astor; Warwick (a hotel chain owned by William Randolph Hearst); Hotel St. George (Brooklyn); Mayflower Hotel (Washington, D. C.); Adolphus Hotel (Dallas, Tex.).

Restaurants: Schrafft's; Childs; Metropole; Shanty Shoppes; White Way Grill; Interstate Lunch; Grant Lunch Corp.; Maisonette Russe; Jack Dempsey's; White Tower.

Night clubs: French Casino.

Refreshment stands: Gorman Bros.; Nedick's.

Bars: The Savarins, Inc.

Automobile accessories: Strauss Stores Corp.; Auto Lec Stores (New Orleans); Firestone Tire Co. (Los Angeles, Cal.); Goodrich Co. (Akron); Guarantee Tire and Rubber (Indianapolis, Ind.); Pep Boys, (Philadelphia).

Shoe stores: Ansonia chain.

Sports stores: Davega; Spalding.

Men's furnishings: John David; Ainsley Haberdasheries; Weber and Heilbroner; Knickerbocker Haberdashers.

Women's wear: Plymouth; Lerner; Canterbury Hose.

At least two state governments—Kentucky and Tennessee—use the Willmark detective system on their toll bridges.

A few Willmark clients make no secret of the fact that they have dealings with this spy agency. Most, however, strenuously deny, both to employees and to the general public, that they engage the services of detectives.

Willmark operates chiefly by sending men and women into stores, hotels, restaurants, etc., in the guise of ordinary purchasers of goods or services. In New York, its chief reliance for obtaining operatives is Stark's Employment Service, 152 West 52nd Street. Instructions given to personnel managers of Willmark's central and branch offices, declare:

Operatives must have retentive memories, so that they can engage workers in long conversations and report every word.

They must be inconspicuous in appearance — no one may be employed who is red-haired, bald, wears glasses, has scars, or has any distinguishing characteristics whatever. For when employees are able to identify a customer, apparently sympathetic, as a stool-pigeon who was responsible for the recent discharge of a fellow-worker, they are little likely to speak their minds.

A further requirement for employment by Willmark is to be hard-boiled. One of the questions asked of prospective snoopers is the following:

"If you were to bring an accusation against a young girl, and she began to cry, would that make you lay off?"

How Spies Are Recruited

A former employee of a nationally known detective agency — the name is withheld for obvious reasons — described to me how decent men and women, even those sympathetic with labor, are led into the retail spy game blindfolded.

"You're not told much at first," he said. "What you are told sounds innocent. You are to look over hotel rooms and make suggestions for re-decorating. You're to inspect restaurants and work out ideas for catering to the comfort of the patrons. You're to think up new and imaginative selling angles for retail stores. Your identity and your reports are to be kept secret only because you're looking for average, not show conditions.

"After a while you are instructed to check up on 'efficiency'—and that sounds innocent too until you realize you're expected to assist the speed-up process by holding a watch on waiters and telephone girls; to report a tired clerk who slumped against a counter, or a worn-out elevator operator who failed to snap to attention.

"The next step is to provoke the service workers—to razz the clerk, highhat the hotel maid, force the salesgirl or the porter to do unnecessary labor, withhold tips from the bell-hop. You're to put temptation in the way of underpaid cleaning women by leaving money about the room. You must trap a certain number of employees in 'violations,' and you know it's your job or theirs.

"Finally you are told to engage the workers in conversations about the job and report on their loyalty to the boss and on any signs of discontent. You are to notice when workers hold extended conversations with one another.

"And there you are, a full-fledged labor spy. And the transition has been so gradual, each step has led so imperceptibly to the next, that when you realize what has happened to you, you are horrified and shocked."

All Willmark operatives are pledged in writing to strict secrecy about their work, and are informed that they will be prosecuted if they break the pledge. A document signed by Willmark employees in New York State follows in part:

"EMPLOYEES NOT TO DIVULGE INFORMATION

"Under Article No. 74-B of the state laws of 1921, it is a crime for employees of a holder of a license to divulge any information in connection with their duties.

"I hereby certify that I am aware of the fact that my employer, the Willmark Service System, Inc., is licensed and bonded by the State of New York as a private Detective Agency. I am thoroughly familiar with the provisions of the State Law and sincerely promise not to violate same.

"Signed....."

"I hereby certify that to the best of my knowledge and belief, I have no relative or friend employed at the present time in any of the department stores in the city of"

"Signed in the presence of"

In talking with magazine and newspaper writers, and with all other "outsiders," Willmark officials deny that their business is a detective agency.

In its anxiety to prevent information from reaching the general public, Willmark penalizes its operatives when they enter into social relationships with one another. It is also chiefly for this reason that the agency has set up its own — non-union — printing plant in the Fisk Building.

...ing the ... shall wilfully
... such employee ...
make a false report to his employer in respect
of any such work, shall be guilty of a misdemeanor."

I hereby certify that I am aware of the fact that my employer, the Willmark Service System, Inc., is licensed and bonded by the State of New York as a private Detective Agency. I am thoroughly familiar with the provision of the above State Law and sincerely promise not to violate same.

Signed:.....

I hereby certify that to the best of my knowledge and belief, I have no relative or friend employed at the present time in any of the department stores in the city of

City of Date 19

Signed.....

Signed in presence of.....

OFFICIAL FORM WILLMARK SPIES HAVE TO SIGN

The Willmark agency is not listed in the standard financial manuals, but announces to prospective clients that Dun and Bradstreet, "upon proper inquiry," will furnish statements as to its rating.

Snoopers in Action

How do Willmark spies operate?

When stool-pigeons of the Willmark Service System are sent to "survey" hotels, department stores, restaurants, and other establishments, they are given elaborate questionnaires which must be answered in detail.

A typical questionnaire is the so-called *Hotel Survey*. Fifty multigraphed pages, containing questions and spaces for full answers, are bound together into a neat-looking gray-covered looseleaf notebook. The "survey" includes the following questions and instructions:

"RESERVATION BY TELEPHONE: Make an attempt to irritate operator. Note reactions in detail.

"BELLMEN, PORTERS, ELEVATOR OPERATORS, STARTERS, DOORMEN: Talk to as many as possible. Ask them to furnish liquor, women, where to place bets on races, etc., and note reactions. Ask about Management and report loyalty.

"IN RESTAURANT: Engage Waiter or Waitress in conversation about Management and report as to loyalty.

"Attempt to 'Date up' Hostess or Waitress and note reaction if in affirmative.

"BARBER SHOP: Gossip with the manicurist about the Management of the Hotel and note replies.

"Try to 'date' manicurist or have her obtain you a companion.

"CONCESSIONS: Learn in advance what concessions are in the hotel, such as Barber Shop, Newsstand, Hat Checking, etc., and try to learn from attendants what they think of the Management.

"PUBLIC STENOGRAPHER: Have a letter written by the Public Stenographer; these women are inclined to gossip when not too busy and if the time is carefully selected, a good discussion of Hotel affairs may be had.

"MISCELLANEOUS: Endeavor to get expression of opinion from all employees you talk to regarding their immediate superior, Hotel Manager, and the supervision exercised by the Operating Company.

"UPON ARRIVAL AT ROOM: Tell Bellman that you want him to get you a woman, or at least, to give you the address of one. Note in detail his reply or reaction if in the affirmative.

"IN THE ELEVATOR: Did Operator stand erect facing the door with one arm folded across his back?

"On descending in elevators in the morning, before eleven o'clock, did operator announce breakfast on reaching the Lobby floor?

Did he turn his head in making this announcement?

If not, furnish his badge number.

"Report full details if you notice any Elevator Operators or other employees holding casual conversations."

In his room, the operative demands a number of extra services from the bellman, takes up as much of his time as possible, and fails to tip him. "Did he show any outward signs of being disgruntled?" asks the questionnaire. The spy sweeps a bit of fuzz under the bed, or drops cigarette ash in a remote corner of a dark closet. If it is there after the maid's next visit, the incident is reported to Willmark headquarters.

A Willmark employee described to me a typical conversation conducted in accordance with these instructions.

"I sit in the hotel room," he said, "and the maid, for instance, comes in. I tip her generously, talk pleasantly to her for a time, and try to get her confidence.

"After a while I say: 'You seem like a nice, intelligent, able girl. Why do you work at a poorly paid job like this?'

"Perhaps she will begin to talk about her job, complain of the small pay and the rush of work.

"I then report the conversation in full and describe the maid as disloyal."

In restaurants, Willmark operatives time the service with watches. They are careful to enter restaurants only at the busiest hours. They complain about the location of the table; send back the food as unsatisfactory; order impossible dishes; pick fights with the waiters or waitresses; and leave without tipping. If they can anger the workers, or induce the slightest lack of "courtesy" — by this time courtesy has become subserviency and spinelessness — they consider that they have done their job well.

GENERAL (Continued)

BARBER
(Continued)

Gossip with the manicurist about the "damage" sent of the total and note replies. Obtain
try to "date" manicurist or have her obtain
you a companion.
try to place a bet on races, etc., and note
reaction.

HOTEL SURVEY

SUBMITTED BY

WILLMARK SERVICE SYSTEM.

250 WEST 37TH STREET

NEW YORK, N. Y.

PUBLIC STENOGRAPHER
ST-

Have a letter written by the Public stenographer; these women are inclined to gossip when not too busy and if the time is carefully selected, a good discussion of Kotel affairs may be had.

19. Image Walter or Mattress in conversation about
Attempt to "take up" mattress or Mattress and note
reaction if in affirmative.

NOTES

In addition to reporting sections of room can be searched after each day of your arrival, note the names of bailiffs and the day. Remove and note whether they are armed. If a woman investigator, if woman is occupying the room, ask her name, age, height, weight, hair color and whether she is married or has a child. If a man, ask his name, age, height, weight, hair color and whether he is married or has a child. If a woman, ask her name, age, height, weight, hair color and whether she is married or has a child. If a man, ask his name, age, height, weight, hair color and whether he is married or has a child. If a woman, ask her name, age, height, weight, hair color and whether she is married or has a child. If a man, ask his name, age, height, weight, hair color and whether he is married or has a child.

TYPICAL EXCERPTS FROM WILLMARK'S 'HOTEL SURVEY'

Department Store Spying

Willmark spies operating in department stores are instructed to make a supreme effort to drive salespeople frantic. They select the busiest hours and seasons—the Christmas rush is especially favored. The “shopper” forces the salesgirl to bring out everything in stock; times all her actions; demands articles that are not in the store; asks dozens of questions; paws over the counters and creates a mess; tries everything on, if clothing is being bought; snaps at the clerk, complains of the service; raises general hell in a loud voice; and walks out after an hour or more without having spent a dime.

If the salesgirl fails to kotow to the shopper throughout this ordeal, Willmark reports her to her employer.

Speed-up is a major complaint among service workers. Many department stores are now making girls serve six counters who used to serve three. Each girl in Stern's is today doing the work which two or three saleswomen did before. At Saks, several porters were physically injured because of the speed-up; in the same store, regular relief periods have become a thing of the past. At Macy's, there is a “flying squad” of salespeople assigned to rush from one busy department to another; this “flying squad” is not permitted to relax for a second.

It is among these speeded, harassed service workers that Willmark sends its snoopers with watches and stop-watches. It is these workers whom the Willmark operatives try to catch at busy times with impossible requests; whom they bully and insult and try to provoke into expressions of resentment.

The foregoing examples of how Willmark “shoppers” work explain how the agency fulfills the promise made to employers in an advertisement in the *Chain Store Age*:

“Willmark's unique system will help develop the untapped resources of your entire sales staff. . . . Without constant correcting, salespersons become listless, sluggish, dead on their feet. . . . Willmark will build and maintain for you a loyal, efficient salesforce!”

Coining Money From Distrust

Willmark's prosperity — in 1936 its income was two million dollars — depends altogether upon its ability to discredit employees with their employers. Its profitable contracts will be renewed only if the employer finds that there is further need of the agency's services, that is, if Willmark has proved to the firm that its employees are dishonest, lazy, and inefficient. Therefore, no group of workers ever gets a clean slate from Willmark.

If Willmark operatives fail to average a certain number of detections per month, if they fail to discredit a sufficient number of employees, they are fired. In February, 1936, a woman operative was called into the head office of the New York branch. "Get five detections in the next month," she was told, "or you're through." She got seven, and kept the job.

Willmark snitchers are constantly pitted against one another in a competition in which the client's employees are the pawns. In one room of the New York office in the Fisk Building, a large sheet of paper is tacked to the wall. This sheet bears the names of the operatives, and the number of workers each has "caught" in the past month. At the staff "pep talks," the operatives are told how one or more of the staff have been especially clever in trapping workers; their ingenuity and their methods are praised and recommended.

Occasionally, in its eagerness for business, Willmark offers to make a free survey of a store, hotel, or other establishment for a short period, to convince the employer that he needs a detective agency. It is obvious that under such conditions, Willmark must make special efforts to trap, badger, hound, harass, insult, and bully workers into infringements, or to charge such infringements whether they have occurred or not. Never, under such circumstances, has Willmark failed to give the employees in question a black record. Otherwise, there would be no contract.

When Willmark tries to sell employers its service, it relies on its ability to convince the firm that employees are dishonest, lazy, inefficient, careless, and "disloyal."

An advertisement of the Willmark company appearing in the *Chain Store Age*, in January, 1936, says:

"... No man can achieve ideal complacency when provoked by the never-ending indifference and inefficiency of salespeople."

In the September, 1936, issue of the same magazine, is an advertisement headed "Exploding Retail Fallacies." The particular "fallacy" which this advertisement undertakes to explode is that employees can be trusted. An astonished employer is pictured as saying: "Why, I thought all my employees were honest!" But Willmark knows better. "New employees," the advertisement declares, "may begin stealing the day they start work. Old and highly trusted salespeople may work for years and then suddenly yield to temptation."

Some of the arguments used by Willmark to sell its services are almost unbelievably cynical and callous. A bulletin sent to clients and prospective clients, entitled "Easy Money," states:

"Human desires are infinite. Our desires exceed by far our purchasing power. Salespeople are human after all. They, too, possess this deeply ingrained desire for more material things. Very few ever reach that point where the appetite for more of the material things in life is completely and finally satisfied. Now, the desire for material things, added to one's incapability to fulfil immediately such desire, plus ever-present temptation, combine to form a trio of elements which present a grave danger in every retail store. The crux of the problem lies not in trying to defeat and destroy human desires. That is impossible. It is also impossible to give each salesperson the necessary wherewithal, the purchasing power with which all or a majority of the desires can be satisfied. [Here one can picture the heads of Willmark Service System, Inc., looking forward with eager satisfaction to long years of snooping on the underpaid workers of wealthy clients.] Willmark establishes in the minds of salespeople the meaning of the risk involved in surrendering and succumbing to temptation."

Employers are also supplied with bulletins of the latest "detections." These bulletins set out to prove, by actual examples, that workers are often hard-pressed for cash for the most elementary needs. A bulletin headed "Brief Histories of Lost Profits" includes the following cold-blooded recitals of successful detective operations:

Case No 9, working in a clothing store in Newark, N. J., "needed the money for doctor bills to prevent his becoming totally deaf."

Case No. 6, working in a candy store in Philadelphia, wanted to "pay her tuition at night college, where she was studying to be a teacher."

"Heavy household expenses," including purchase of a refrigerator, were responsible for the downfall of Case No. 11, a woman working in a dairy in Kansas City, Mo.

Case No. 82, employee of a liquor store in Tampa, Fla., was led into temptation because he was "a newlywed without money in the bank."

Case No. 50 was a worker in a variety store in Milwaukee, Wis., whose "father was having trouble meeting mortgage payments."

By preying on thousands and hundreds of thousands of workers so underpaid that they lack money for medical care, for study, for household expenses, for marriage, the Willmark Service System is deriving its two-million-dollar yearly income.

How Willmark Traps Employees

"No man has the moral right to place temptation in the way of his employees," says a persuasive little bulletin issued by Willmark to prospective clients. Yet the Willmark agency has itself worked out an elaborate system for tempting and trapping service workers. "Create the opportunities for violations, and watch your breaks," is the constantly repeated admonition to Willmark operatives.

In the *Hotel Survey* is the following instruction:

"Leave several coins on the floor before maid makes up the room and report what happens to them."

Further on is this direction:

"Leave a small sum of money in your suit and specify exact time when suit is to be returned. Upon return of suit, pay attendant cash for the press. Report whether the money left in suit is returned and whether suit is brought back at specified time."

In the hope of trapping workers, "crews" of Willmark operatives set out every morning in cars furnished them by the agency, and with sums of money to spend. A "crew" consists of either three or four people. The usual crew is made up of two women shoppers, one man shopper, and a supervisor.

Suppose that a department store is to be "shopped." The first shopper approaches the counter, buys an article, and leaves at once. He or she keeps his eyes off the cash register, and engages the clerk in animated conversation, pretending to be interested in anything but the business transaction. The theory among Willmark operatives is that in this way the clerk will be more likely to make an error, intentional or unintentional, in recording the sale. The first shopper leaves. The second follows at once, and notes the amount rung up on the cash register. Later, the two shoppers meet outside to compare notes.

A favorite way of trapping workers is to leave without taking a sales check. Sometimes the shopper moves away quickly and loses himself in the crowd. This in itself constitutes a "violation" and a black mark for the salesgirl. Rush hours and seasons are especially suited to this kind of trickery.

Another method is to make a series of small purchases, paying for each separately as if it were the last, and then deciding to buy something else. This method creates the temptation for an underpaid worker to take a dime; it also creates such confusion that a wholly honest salesperson may quite simply make a mistake. The result in either case will be the same.

As soon as an "irregularity" occurs, whether it is intentional on the part of the salesperson or not, the "supervisor" of the shopping crew takes the employee into a private office for questioning. What occurs during "questioning" explains why Willmark requires its operatives to be hard-boiled. It is their business to get a "confession" and a signed statement, admitting previous thefts of large sums.

The Art of Getting "Confessions"

A "supervisor" with considerable experience with Willmark explained to me the procedure generally used to "break" em-

ployees. "Breaking" is the trade name for wringing out a "confession." How to "break" salespeople is one of the favorite topics of discussion at pep meetings of Willmark employees.

"Miss Smith," the supervisor begins, "please understand I'm your friend. I'm not trying to brow-beat you or frighten you. Don't think I don't understand your problems. I know you get very little pay. You may have a family to support, you may be ill. Let's talk the whole thing over.

"Now of course, Miss Smith, this isn't the first time that this has happened. As a matter of fact, we've had an eye on you for some time." [Here the supervisor interrupted himself to explain to me that this is usually not the truth; the statement is made merely to frighten the girl.] "We have indications that you've sometimes taken as much as \$10 in one day. No? Well, how much then? Five? One? No? Well, *we* know better."

Until the girl agrees to sign a confession, she is not permitted to leave. Eventually she will "admit" that she has on some one day taken a maximum of \$1. The conversation then continues:

"And today you took a dime. Well, that averages up to 55 cents.

"Now, Miss Smith, how long have you worked here? Three years? That makes 156 weeks, doesn't it? Or did you take vacations? Six weeks? That makes 150 weeks. You were out sick two weeks? Then there are holidays — say you've worked here 840 days altogether. Multiply that by 55 cents each day, and it makes \$462.00. That's a lot of money, Miss Smith, a lot of money."

By this time the bewildered Miss Smith, who merely admitted taking \$1 at one time and 10 cents at another time, is much too frightened to perceive that violence has been committed upon the multiplication table.

"Miss Smith," the supervisor goes on, "we'd advise you not to deny this theft any longer. We really have the goods on you. Now if you'll just sign this statement? It will be less disagreeable than if you continue to deny it. In that case we'll have to take other steps."

On many occasions, employees, having signed a "confession," try later to retract. Many have instituted suit against the Willmark agency; some have charged libel, some assault, some defamation of character. It is one of the chief tasks of the attorneys for Willmark to settle these cases out of court, and prevent publicity. In New York, the Willmark attorneys are Bernstein and Bernstein, also in the Fisk Building. The two Bernsteins are J. Sidney, a brother of the owners of the detective agency, and Arthur, a nephew. This is the same legal firm employed last year by Ohrbach, New York department store, in its effort to break the union in its shop and the strike of its employees.

Assault and Libel

A charge of assault and libel, which Willmark did not succeed in "buying off," came to trial in New York in 1934. The action was brought by Julius Linsky, pharmacist.

Linsky was employed as pharmacist and manager by the Whelan drug store at 234 Eighth Avenue. Whelan is a subsidiary of the United Cigar Stores, and United employs the Willmark spy system, paying a fee of \$40,000 a year.

Late in December, 1931, inventory was taken in Linsky's store. He noted that the inventory was very hasty and inadequate.

Weighing some of the stock himself, he found that it was being recorded far below its actual weight. Linsky protested against what he believed, at the time, to be sheer carelessness. His protests to his superiors were brushed aside.

When the inventory was completed, it showed a shortage of \$520. Linsky asked for a re-check. The request was refused.

On January 28, 1932, Linsky received a telephone call to come to the main office of the Whelan chain. When he arrived, he was ushered into a room where he found four men, later identified as the Whelan district manager, the Whelan personnel manager, the general service manager of the Willmark agency, Joseph Levine, and Milton Steinthal, another Willmark service manager.

In the Supreme Court of New York County, Linsky told a jury what happened.

The moment he entered the room, the men began to shout at him, calling him a thief. This charge Linsky denied. He tried to leave, but was forced back into his chair by Steinthal and Levine, who demanded that he sign a statement confessing that he had stolen goods worth \$1,000. Linsky refused.

The rest of the story is best recorded in the words in which Linsky told it to the jury:

"Mr. Steinthal said: 'If you don't come clean I will give you the works,' and he would have me thrown out of the pharmacist line, because he would have my license revoked. Steinthal and Levine pushed me right down into the chair and told me they had the goods on me.

"Mr. Steinthal came in front of me and told me the best thing to do would be to come clean and no trouble and no noise about anything at all. Mr. Steinthal then said: 'Why not sign that statement; we have a statement showing you are short at the 51st Street store [where Linsky had previously worked]. I said, 'Why, at the 51st Street store, I had nothing to do with that.'

"He said: 'We will pin that shortage on you, too.' After that I broke into tears, and I was all broken up by the cross-examination fired at me. Mr. Steinthal said: 'You want to get married next month, we can keep this thing quiet. I wouldn't put anything up to you, and you wouldn't have to pay for it; just to straighten it out. We want to get some money out of the insurance company.'"

It was brought out during the trial that the Fidelity and Casualty Company, which insured Whelan, undertook to cover any actual thefts. Why, asked Linsky's attorneys, had Whelan not simply brought this matter before the insurance company for indemnity? The conclusion was inescapable that there had been no theft, and there was not the remotest possibility of proving theft unless a signed confession could be wrung out of Linsky. A mere assertion of loss would have been investigated by Fidelity, which would assuredly have discovered fraud.

For four hours Linsky was grilled, and was prevented from leaving by physical force. Gradually, seeing his determination, his tormentors lessened their demands.

If Linsky wouldn't sign a confession admitting he took \$1,000, how about a statement admitting theft of \$750? It was at this point that James A. Flaherty, Whelan personnel manager, said, according to Linsky's testimony in court:

"After all, I'm trying to play with you. You wouldn't lose anything by working with us; we are out to get the money from the insurance company."

Eventually Linsky was asked how much merchandise he had taken from the store on credit. He said he had taken \$5 or \$6 worth, in accordance with an agreement whereby Whelan employees may run up small bills to be settled out of their salaries. The Willmark operatives then gave Linsky a letter to sign, stating that he had taken \$25 worth of merchandise without paying.

Linsky objected to the sum being jacked up from \$5 or \$6 to \$25, and to the letter's failure to mention that this was not theft, but an ordinary credit transaction. Worn out by persecution, however, he finally signed the document, whose last paragraph ironically read:

"I have read same over carefully, before signing, and I signed same of my own free will without any promises or threats from anyone whatsoever."

As soon as the signature had been obtained, Linsky was asked to hand over his keys to the store. As he had been promised that he could keep his job, which he needed desperately because of his approaching marriage, he at once became suspicious. His suspicions were confirmed two days later, when he was informed that his work with the Whelan stores was at an end.

The jury awarded Linsky damages of \$5,000.

It is in the light of the cases brought to court by Julius Linsky and Margaret La Rue—typical of many cases against the Willmark agency—that the following affidavit should be considered. This affidavit is prepared in advance and supplied to Willmark operatives whose job is to "break" workers:

"At no time during my conversation with the said sales , have I accused h of stealing any part or the whole of the proceeds of the sale in question, or that of any other sales he ever made during the term he was employed in that store. At no time have I or anyone else in my presence made any insinuations or used any words to h that would tend to defame h character or reflect on h general reputation. Neither I nor anyone else in my presence laid hands on h or assaulted h in any manner. I have not detained h in any place even for one moment against h will, or detained h after business hours.

WITNESS: _____"

..... employed sales k in
a store located at....., and
owned by....., are true in all
respects.

At no time during my conversation had with the said sales , have I accused h of stealing any part or the whole of the proceeds of the sale in question, or that of any other sales he ever made during the time he was employed in that store. At no time have I or anyone else in my presence made any insinuations or used any words to h that would tend to defame h character or reflect on h general reputation. Neither I nor anyone else in my presence laid hands on h or assaulted h in any manner. I have not detained h in any place even for one moment against h will, or detained h after business hours.

WITNESS:- _____

THE WILLMARK AFFIDAVIT FORM FOR SNOOPERS

Clients of Willmark are required to permit a free hand to the snoopers, and store executives are instructed not to interfere under any circumstances. Here is a portion of a letter addressed to Goodrich Silvertown store managers, dated May 1, 1936, Akron, Ohio, and signed by F. S. Phelps, Assistant Manager, Field Operating Department, the B. F. Goodrich Company:

"This will serve to introduce Crew Supervisor of Willmark Service System, Inc. Willmark Crew Supervisors identify themselves by presenting a blue identification card bearing the signature of Mr. J. A. Hoban, Manager Retail Department. They further identify themselves by presenting a red master identification card bearing Crew Supervisor's picture, signature, and corporate seal of Willmark Service System, Inc.

"In the event discrepancies are disclosed, Willmark Crew Supervisor has the authority to question the employee or employees involved in violations. If a Willmark representative believes that questioning is necessary, we expect you to grant him most hearty cooperation, acting only as an observer of his methods and permitting him to hold successful interrogations with your employees. *Under no circumstances are you to take part in these interrogations.* Permit the Willmark representative to conduct investigations in his own way without any interference, otherwise we cannot hope to obtain desired results. It will be in order, however, for you to be within earshot during questioning. This may best be accomplished by having the door ajar and remaining just outside, or by seating yourself in a corner of the office somewhat removed from the principals in the case. Naturally, these questionings should be conducted in a confidential manner, and no other employees are to be within earshot or know what is going on."

The Willmark detective agency does not merely work at random to discover "inefficiency, disloyalty, dishonesty, and carelessness" among service employees. It has instituted a practice known as "making a special," and this, for militant workers, is one of the most dangerous of all Willmark's practices.

An employer may suspect an employee. He may suspect dishonesty, or he may suspect dissatisfaction with wages and conditions, or, worst of all, he may suspect that the employee is a member of a union or even an organizer. He asks the Willmark Service System to make a "special" of the case. Willmark then puts its most experienced and hard-boiled snoopers to work on that employee, knowing, of course, that the employer hopes to have his "suspicions" confirmed.

Willmark Keeps a Blacklist

Another of Willmark's functions is to act as a nationwide blacklist system against service workers. This department goes by the euphemistic name of "research department."

A Willmark bulletin for employers, entitled *Forward March*, contains the following information:

" . . . The research department maintains an active file of the names of all salespeople disclosed by Willmark in irregularities. The function of these records is to enable Willmark's subscribers to check back on applicants for employment as well as on their present employees for previous delinquencies committed in any other stores where they have been formerly engaged. If any record of previous irregularities practised by these same individuals is uncovered through the medium of this facility, the information is promptly reported to the subscriber for whatever disposition he wishes to make of it.

"Willmark's Employees Information Bureau," says another bulletin," contains the detailed records of over 103,000 individuals who have been disclosed by our organization in irregularities. At any time subscribers may submit to the Bureau the names and descriptions of their employees for comparison with the Bureau's records."

This bulletin boasts that a variety store chain in Chicago, "over a period of one year alone found, through use of the Employees Information Bureau, that a total of 76 salespeople in their employ had previously been found engaged in irregular activities while employed in other stores."

"Irregular activities" includes actual dishonesty, but it includes a great deal more. Under the heading of "irregular activities" comes also "inefficiency" — usually failure to speed up; and "disloyalty," which may range from an expression of dissatisfaction with working conditions to union membership and efforts at union organization.

An employer who subscribes to the Willmark service, and who wishes information about one of his workers, fills out a slip headed "Subscriber's Request for Information on Employee." This includes not only the name, but, to provide for the contingency of a change of name, a detailed description: Age, height, weight, color of hair, glasses, other marks of identification.

A Willmark operative finding a salesperson working in one store who has, to his knowledge, been discharged elsewhere, will make it his business to inform the new employer of the records in the case.

In an effort to discover just how Willmark's blacklist system

NATION-WIDE SCOPE OF OPERATIONS

Willmark Service System, Inc. operates rationally, with a network of branch offices in the principal cities of the United States. It is the only sales personnel checking organization available in every city in the country. From Maine to California, from Washington to Florida, Willmark carries on its constructive work in personnel and system development for thousands of progressive retail stores.



INTENSIVE COVERAGE

The stars on the map reproduced here mark Willmark's branch offices, while the map itself indicates Willmark's vast coverage of the nation. It reveals 1,500 cities and towns into which Willmark sends its trained shopping analysts. In literally thousands upon thousands of stores in every conceivable field of retailing, valuable and accurate tests are made of sales counter conditions and activities. Large stores, small stores are serviced . . . independents and chain . . . in cities with millions of population, in towns of only hundreds. Such flexibility can be, and is, achieved only through complete organization control and tremendous resources.

**SPIES IN EVERY TOWN IS THE BOAST OF THIS ILLUSTRATED BOOKLET
ADVERTISING WILLMARK'S STOOLPIGEON SERVICE.**

works, a small store-owner* who has spent most of his life in the service of labor organizations, and I, asked the Willmark office in the Fisk Building to send a representative to the store. Posing as employers dissatisfied with the work of our employees and anxious to rid the store of union organizers, we discussed the spy service at length with Willmark's representative.

After the Willmark salesman had talked for more than an hour to convince us that "no employee is to be trusted; you've got to have detectives on all of them," we complained of one of "our" workers, who, we had reason to believe, was a union organizer.

"Send us his name," Mr. ——— advised. "If he's a trouble-maker, he's probably made trouble elsewhere, and we may have a record of him."

"But if the union insists on keeping someone you've reported against?" we asked.

"Well, leave him there another week or so," Mr. ——— answered. "There's no doubt that we can get something else on him in that time."

Other Firms in the Retail Spy Racket

The Willmark Service System, Inc., is by no means the only firm engaged in the legitimized racket of service spying.

Howard N. Findley, President of H. N. Findley and Associates, remarked to me, when I went to see him at his headquarters at 52 West 57th Street, New York: "It's a funny business I'm in." It is. It's the business of spying on the sales and clerical force of steamship and railway lines, hotels, restaurants, banks, real estate firms, insurance companies, advertising agencies, and retail houses of various sorts. Willmark has been making sustained efforts to sell its services to the steamship and

* In order to protect this store-owner from reprisals, we are withholding his name. We withhold also the name of the Willmark salesman in order to render identification of the store-owner difficult. We stand ready, however, to give the fullest information, including all the details of this conversation, and the names of all persons involved, to the proper authorities, such as the LaFollette committee investigating violations of civil liberties.

railway companies, but Mr. Findley; it seems, got there first.

There is a close tie-up between the Findley outfit and the National Hotel Management Company, with offices at 34th Street and Eighth Avenue, New York. The National Hotel Management supervises many of the largest and wealthiest hotels in the country, and its president, Ralph Hitz, lays it down as an axiom of hotel supervision that the 5,000 employees of the hotels he handles shall be regularly spied upon by hired snoopers. "Mr. Hitz," says an article in the May, 1937, *Fortune* magazine, "is a realist . . . he has the staff checked by *agents provocateurs*, fingerprints and periodically searches them at the New Yorker and the Lexington, and would do so in the other houses if labor would put up with it."

That is where Mr. Findley comes in. A large part of his business, he explained to me, is to make "surveys" for the National Hotel Management Company. These include the New Yorker, the Lexington, and the Hotel Beacon in New York City; the Netherland Plaza in Cincinnati; the Van Cleve in Dayton; the Book-Cadillac in Detroit; the Nicollet in Minneapolis; and the Adolphus in Dallas. In all these hotels, the National Hotel Management, while it does not own the business, takes complete authority over the hiring and firing.

"It's a Funny Business" is the title of an article which Mr. Findley contributed in March, 1935, to the magazine *Case Alumni*, describing — with a careful omission of detail — what he chooses to call his "inspection service." Findley's follows in general the procedure used by Willmark; spying on the hurried and underpaid service workers; trapping them into major or minor infringements of rules; turning in to their employers secret reports which may result in loss of the job and permanent blacklist. The chief difference between Findley and Willmark seems to be in the quality of the trade and in the fee. Mr. Findley says that his outfit has the "champagne" business, covers only the highest-priced hotels, restaurants, and bars, and gets three times the money for a survey that is paid to Willmark.

How are the Findley snoopers recruited? "The woods are full of them," Mr. Findley wrote in a recent article. "They

are the best specimens of the enormous 'white collar' army turned loose by the depression. Men and women of intelligence and culture — used to nice things done in the right way. They sally forth to buy, or talk about buying, in the offices or stores of our clients, and at the conclusion of the transaction, the entire story is reduced to writing. These reports . . . permit the client [that is, the employer] to 'listen in.'"

Findley reports are sent to employers marked in capital letters: "MR. REQUESTED THAT THIS ENVELOPE BE HANDED TO HIM UNOPENED." Extracts from a typical Findley survey follow:

Q. How long did it take for bellman to arrive?

A. Two minutes.

Q. What was his number?

A. 21.

Q. Does he search closets, drawers, bath, behind doors, under beds?

A. No.

Q. Does he verify number of bags?

A. No.

Q. Tip?

A. 20 cents.

Q. Does he thank you for it?

A. Yes.

The maid's work was checked by the snooper with 79 questions, among which were these:

Q. Carpets, clean?

A. Need scrubbing, few loose particles under bed.

Q. Clothes closet, shelves, and floor clean?

A. Shelves clean, floor dusty.

Q. Drapes clean?

A. Yes, but mussed.

Q. Furniture dusted?

A. Exposed parts yes; otherwise bad.

The Findley snooper reported further:

"A pint bottle of Calvert's whiskey had been left on the bureau, which was about one-quarter full. The level of the whiskey was lower by about one-quarter inch when I returned to my room at 5 p.m."

Apparently a tape-measure is part of the outfit of every well-equipped Findley spy.

"On the following morning," the report goes on, "I left the room in considerable disorder. A pair of spats were thrown on the chair, newspapers were all over the place, and a dirty shirt was thrown over the back of the chair. The spats and shirt were in the same position when I returned."

The foregoing report on maid service should be considered in the light of the duties laid down for maids by the National Hotel Management Company: "The maid cleans sixteen rooms a day, stocks each with 45 items of supplies. Wages \$14 a week. maybe \$2 tips."

The waiter in the hotel restaurant did not fully satisfy the Findley operative. The snooper wrote:

"Though I had naturally expected (after ordering dinner) that the appetizer would be ready when I reached the table, it was a full three minutes before Lambert appeared with the crackers, butter, water, and tomato juice. . . . It was seven minutes after I finished the soup that the waiter brought the two vegetables in covered side dishes."

"In the bar," the operative reported, "the boy who passed the canapes and the checkroom girl were frequently in conversation."

A folder sent to prospective clients, entitled *Your Employees May Be Guilty*, suggests another way of trapping workers, by requiring spies to answer the question:

"Was money left in suit returned by valet?"

A wholly subservient employee will sometimes get a pat on the back from the Findley operative, as in the case of a doorman who is praised as follows:

"I tipped the doorman ten cents, for which he thanked me nicely."

Of an attendant in the bar, a report states:

"Lawrence rolled his eyes expressively and bowed his head to me."

The Findley spying is not confined to the hotels of the National

Hotel Management. It includes the Martinique, the Blackhawk chain, the Waldorf-Astoria, the George Washington, the Bowman-Biltmore chain, the Dennis, the Penn-Harris, the Ambassador, the Burlington, the Van Orman chain, the Parker House, the Morrison in Chicago, the Pierre, the Walton, and the chain of United Hotels. And it extends far beyond hotels, entering most of the major business fields in which sales and personal service play an important part.

Another retail spy agency is the Merit Protective Service, with headquarters at 11 West 42nd Street, New York. There are known to be others — many others — some working on a local and some on a national scale, making their thousands and millions by spying and preying on service workers.

To expose these detective agencies and put them out of business should be one of the aims of union organization among retail employees. New York workers have already taken up this fight. The Department Store Employees' Union, Local 1250 (Greater New York), an important union in the service field, demands the end of the spy system. Strikes led by this union during the past year have resulted in solid gains for retail and service workers. The F. & W. Grand, the Woolworth, and the Giant Penny five-and-ten-cent store chains throughout the city have signed contracts with the union; so have the Hearn Department Stores and the Norton Retail Stores. This is by no means the sum of victories recently won by organized action in the retail trades.

Among the demands of the striking workers of Hearn's was: "Elimination of the Willmark system."

A leaflet issued by the Abraham & Straus chapter of the Department Store Employees' Union asks:

"DO YOU LIKE

"The cut-throat competition for commissions?

"The spying shopping system?

"The speed-up system?

"WOULD YOU SUBSTITUTE

"A \$21 minimum wage and 10 per cent increases for those making over \$20?

"Promotions and salary increases based on seniority and competence, not on shopping reports?

"A forty-hour, five-day week?"

Here is part of another leaflet distributed by the Abraham & Straus workers:

"We workers in A. and S. have no guarantee of security on the job. Seasonal layoffs after the big sales, a new buyer in the department, a paid 'shopper' with a bad report—any one of these is enough cause for firing, regardless of the amount of work we have done or the number of years in our department.

"What can we do to abolish unreasonable firings? Workers all over the country are organizing into their unions—auto workers, steel, textile, office workers, department store workers. Workers in Norton's, Hearn, Woolworth, Giant Penny, Grand Stores, won security for themselves by joining the Department Store Employees' Union, Local 1250. Five and dime workers in Akron, Ohio, won a closed shop (absolute security on the job). In union stores, no union member can be fired without just cause.

"GET YOUR JOB INSURANCE NOW! JOIN YOUR UNION!"

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